

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ONSRI CLARK,)	Case No. _____
)	
Plaintiff,)	
)	
vs.)	COMPLAINT
)	
SARPY COUNTY,)	
)	
Defendant.)	

1. That plaintiff is a resident of the State of Nebraska.
2. That defendant is a government agency.
3. That plaintiff was hired by the defendant in 2007 to work as evidence technician.
4. That plaintiff filed a timely charge with Nebraska Equal Opportunity Commission alleging discrimination under the Americans with Disabilities Act and the Nebraska Fair Employment Practices Act.
5. That plaintiff has exhausted administrative remedies and has otherwise filed a timely complaint in this court.

Facts.

6. On June 2, 2015 plaintiff was called to a crime scene which caused her to develop an allergy to mold that effected major life activities including but not limited to breathing.
7. That plaintiff exercised her rights to benefits under the Nebraska Workers Compensation Act as a result of the incident described in the previous paragraph.
8. That plaintiff asked for a reasonable accommodation to avoid allergens that was not granted in a timely manner causing the plaintiff to miss work and lose income.
9. That plaintiff requested to be returned to her job as an evidence technician with the reasonable accommodation of her wearing a respirator while in the evidence room and adding coveralls and goggles while at a crime scene or while in an evidence garages.
10. That the defendant required plaintiff to unnecessarily wear the protective gear which caused humiliation as well as dehydration and inconvenience from having to don and doff protective gear in order to drink, eat or blow her nose. The unnecessary protective gear also made it more difficult for the client to see and use a telephone.
11. That plaintiff was subject to harassment from co-workers and supervisors after she asked for accommodations and after claiming benefits for workers compensation.

Counts 1 and 2

12. That the defendant unlawfully discriminated against the plaintiff on the basis of disability in violation of the Americans with Disabilities Act and the Nebraska Fair Employment Practices Act.

Counts 3 and 4

13. That the defendant unlawfully discriminated against the plaintiff on the basis of her perceived disability in violation of the Americans with Disabilities and Nebraska Fair Employment Practices Act.

Counts 5 and 6

14. That the defendant failed to reasonably accommodate plaintiff's disability in violation of the Americans with Disabilities Act and the Nebraska Fair Employment Practices Act.

Counts 7 and 8

15. That the defendant unlawfully retaliated against the plaintiff for asking for a reasonable accommodation for her disability in violation of the Americans with Disabilities Act and the Nebraska Fair Employment Practices Act.

Count 9

16. That the defendant unlawfully retaliated against the plaintiff for claiming benefits under the Nebraska Workers Compensation Act in violation of the public policy of the state of Nebraska.

Prayer for relief and request for jury

Plaintiff requests that a jury determine defendant's liability for the unlawful conduct described above. Plaintiff asks for all available relief available under law and equity.

ONSRI CLARK, Plaintiff

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